

Aiken City Council Minutes

May 23, 1994

EXECUTIVE SESSION

Present: Mayor Cavanaugh, Councilmembers Papouchado, Perry, Price and Radford.

Absent: Councilmembers Anaclerio and Clyburn

Others Present: Steve Thompson, Frances Thomas, Jim Holly, and Andy Anderson.

Mayor Cavanaugh called the meeting to order at 6 P.M. Mayor Cavanaugh moved, seconded by Councilwoman Papouchado and unanimously approved that Council go into executive session to discuss legal matters. Council went into executive session at 6:05 P.M. After discussion Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that the executive session adjourn. The executive session adjourned at 7:05 P.M. Council then held a pre-Council session for discussion of agenda items.

REGULAR MEETING

Present: Mayor Cavanaugh, Councilmembers Papouchado, Perry, Price and Radford.

Absent: Councilmembers Anaclerio and Clyburn.

Others Present: Steve Thompson, Jim Holly, Frances Thomas, Andy Anderson, Anita Lilly, Stanley Quarles, Roger LeDuc, Ed Evans, Brunson Cromer, Philip Lord of the Aiken Standard, Rolanda Hatcher of the Augusta Chronicle, and 17 citizens.

Mayor Cavanaugh called the meeting to order at 7:35 P.M. Councilwoman Price led in prayer which was followed by the pledge of allegiance to the flag.

The minutes of the May 9, 1994, meeting were considered for approval. Councilman Radford moved that the minutes be approved. The motion was seconded by Councilwoman Papouchado and unanimously approved.

PRESENTATIONS

Certificates of Service
Annexation Study Committee
Braithwaite, Robin
Wade, Tom

Mayor Cavanaugh stated Council would like to recognize Rob Braithwaite and Tom Wade for their service on the Annexation Study Committee. He stated Mr. Braithwaite had served on the Annexation Study Committee since October, 1991, and Mr. Wade has served since May, 1986.

Mayor Cavanaugh presented a Certificate of Service to Mr. Wade who was present. Council asked that the Certificate of Service for Mr. Braithwaite be mailed to him. Council thanked Mr. Braithwaite and Mr. Wade for their service to the citizens of Aiken.

RECYCLING CENTER - ORDINANCE 052394

Aiken County
Shiloh Church Road
Interstate 20
Solid Waste Drop-off Center

Mayor Cavanaugh stated the second reading and public hearing of an ordinance for Aiken County to lease some property on Shiloh Church Road for a manned solid waste drop-off center had been continued from the May 9 meeting.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE LEASE TO AIKEN COUNTY OF APPROXIMATELY TWO (2) ACRES OF LAND LOCATED ON SHILOH CHURCH ROAD (S-2-1530) AT THE INTERSECTION OF THAT ROAD WITH HAMELIN ROAD (S-2-1926) FOR USE AS A MANNED PUBLIC SOLID WASTE DROP-OFF CENTER.

Mr. Thompson stated Council had discussed at the last meeting a proposed lease with Aiken County for an area about 300 feet by 300 feet located off Shiloh Church Road at the corner of Hamelin Road. He stated Council had delayed action on the request at the May 9, 1994, meeting until members of Council had an opportunity to visit the site. He pointed out Council had heard comments from members of Shiloh Church and from nearby residents concerning the site. He stated Mr. Joe Berry, County Engineer, was present to answer any questions Council may have. Mr. Thompson stated Aiken County is developing manned centers to replace the present dumpster sites and plans to close the dumpster site located on U.S. Highway 1 and open a new and different type of site which would include recycling and solid waste drop-off on Shiloh Church Road near Hamelin Road.

Mr. Holly, City Attorney, stated the proposed ordinance received first reading on April 25, 1994, and is before Council at this time for second reading and public hearing. He pointed out there had been several changes to the proposed ordinance, and he reviewed the changes for Council's information. He pointed out the ordinance proposes for the lease to be for five years with renewal for three additional terms of five years each under certain circumstances. The City can opt to terminate the lease if the Director of Public Works determines that the site and operations are not acceptable or constitute some type problem. The ordinance restricts the use of the site as a drop-off site and recycling center. The annual rent would be \$100 per year initially to be renegotiated each year. The ordinance has a hold harmless provision for the city and also requires upon opening of the drop-off center that dumpsters located along U.S. Highway or Highway 19 located between the Interstate and the city to be removed. The ordinance allows the design and construction to be reviewed and approved by the Director of Public Works and requires the development of the site to comply with the city's Tree Protection and Landscape Ordinance and sign regulations in the Zoning Ordinance. Also, to be added to the ordinance is language requiring screening by dense natural or planted vegetation to the satisfaction of the City Horticulturist. The ordinance also allows other provisions to be added if necessary to protect the citizens of the city, and requires the site to be returned to the city in as good a condition as it was at the beginning of the lease when returned to the city at the end of the lease. The ordinance also requires the Director of Public Works or his designee to monitor operations and if there are any unsatisfactory situations the County would be given 30 days to correct them or the lease would terminate.

The public hearing was held.

Mr. Pearce Owens, 3650 Shiloh Church Road, spoke in opposition to the location of the proposed drop-off center and felt that the location was too close to the church and residents in the area. He stated he lived near the proposed site.

Reverend Louie Anderson, pastor of Shiloh Baptist Church, stated he resided at 3660 Shiloh Church Road. He stated he believed in recycling and was not opposed to the center being on Shiloh Church Road, but was opposed to the site chosen. He pointed out there is other land in the area which he felt could be used.

Council discussed the proposed lease. Mayor Cavanaugh pointed out he had visited the proposed site and the church and could not see the site from the church. He pointed out it is proposed that the facility be situated so it cannot be seen from the road with a buffer around the area. He stated he could not see that the facility would be an eye sore or detriment to the area.

Councilwoman Price stated she sympathized with the group present opposed to the location. She stated she knows what it is like to have something in your back yard that you don't want. She stated it impacts growth and development in an area.

Councilman Radford moved, seconded by Councilwoman Papouchado, that the amendments to the ordinance leasing an area to Aiken County for a manned drop-off center on Shiloh Church Road be approved. The motion was approved by a vote of 4 to 1 with Councilwoman Price opposed to the motion.

Councilman Radford moved, seconded by Councilman Perry, that the ordinance as amended leasing an area to Aiken County for a manned drop-off center on Shiloh Church Road be approved on second and final reading to become effective

immediately. The motion was approved by a vote of 4 to 1 with Councilwoman Price opposed to the motion.

THE OAKS SUBDIVISION - ORDINANCE 052394A

Gem Lakes
Huckleberry Drive
Utilities
Dedication
Lift Station
Sewer Lift Station

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to accept the sewer lift station in The Oaks Subdivision.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING DEDICATION OF THE SEWAGE LIFT STATION AND LOT ON WHICH IT IS LOCATED IN THE OAKS AT GEM LAKES SUBDIVISION.

Mr. Thompson stated the city accepts utilities in subdivisions after the lines have been installed by the developer at least a year and evaluated by the City Engineer. The owners of The Oaks at Gem Lakes have submitted the lift station and the lot on which it is located in The Oaks Subdivision for acceptance by the city. The city has required the developer and owner of The Oaks to submit an annexation agreement for all the property within The Oaks as part of the city's approval process.

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that Council approve the ordinance accepting the sewer lift station and lot in The Oaks Subdivision and that the ordinance become effective immediately.

SANDSTONE SUBDIVISION - ORDINANCE 052394B

Dedication
Streets
Utilities
Section 1, Phase III
Section 2, Phase III
Whiskey Road

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to accept the streets and utilities in Sections 1 and 2, Phase III of Sandstone Subdivision.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING DEDICATION OF STREETS AND UTILITIES OF SECTIONS ONE AND TWO OF PHASE III OF SANDSTONE SUBDIVISION.

Mr. Thompson stated the city accepts streets and utilities of residential subdivisions after the streets and utilities have been installed for at least a year and evaluated by the City Engineer. The staff has recommended that Council accept the streets and utilities of Sandstone Subdivision, Section 1 and 2, Phase III.

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that the ordinance accepting the streets and utilities of Sandstone Subdivision, Sections 1 and 2, Phase III be passed on second and final reading to become effective immediately.

BUDGET 1994-95 - ORDINANCEMillage RateStreet Maintenance FeeOutside Fire ChargesWater RatesSewer Rates

Mayor Cavanaugh stated a proposed budget for fiscal year 1994-95 had been prepared for Council's consideration.

Mr. Thompson read the title of the budget ordinance.

AN ORDINANCE ADOPTING A BUDGET PROPOSED BY THE CITY MANAGER, CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES BY THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 1994, AND ENDING JUNE 30, 1995, AND DECLARING THAT THE SAME SHALL CONSTITUTE THE BUDGET OF THE CITY OF AIKEN FOR SUCH FISCAL YEAR; PROVIDING FOR THE LEVY OF TAXES FOR ORDINARY CITY PURPOSES FOR THE AFORESAID FISCAL YEAR AND SETTING THE MILLAGE THEREFOR AT NINETY (90) MILLS FOR REAL AND PERSONAL PROPERTY TO FUND THE ACCOMPANYING BUDGET; INCREASING AND CLARIFYING CERTAIN MONTHLY WATER AND SEWER CHARGES; AND AMENDING SECTION 2 OF ORDINANCE NO. 061091B SO AS TO INCREASE CERTAIN FIRE SERVICE RATES FOR PROPERTIES LOCATED OUTSIDE THE CITY AND OTHERWISE CLARIFYING THOSE PROVISIONS; AND ESTABLISHING A STREET MAINTENANCE AND IMPROVEMENT FEE OF \$15.00 FOR EACH REGISTERED VEHICLE IN THE CITY OF AIKEN.

Mr. Thompson stated this was the budget ordinance which had been prepared with the guidance and assistance of City Council over the past year. He said Council had had goal setting sessions and work sessions to discuss the services to be offered during the upcoming fiscal year. The highlights of the budget include a street maintenance fee. He said the city maintains about 32% of the streets in Aiken or about 56 miles out of 177 miles. The state maintains the balance of the streets. The proposed budget includes a street fee of \$15 per vehicle to generate \$190,000 in revenues for expansion of service in maintaining the streets. Also, included in the budget is expansion of the Community Oriented Police Program to meet the goals of City Council to emphasize community policing in the Aiken community. Fire services fees are also proposed to be increased to expand services through the purchase of a new snorkel truck. It is also proposed that functions be consolidated under the Solid Waste system that have previously been in the Streets & Parks Division. This will not increase the budget but will shift expenses from one division to another. Water and sewer rates are proposed to be increased 12% to keep the water and sewer system financially solvent. This is a recommendation from the auditors for the city and in keeping with Council's policy of keeping the water and sewer system entirely self-supporting and financially stable.

Mayor Cavanaugh stated Council had discussed the proposed street maintenance fee in the pre-Council session. He said it was the consensus of Council that maintenance of the state roads should be maintained by the state and that the city should make every effort to get the state to take the responsibility to maintain the state roads rather than asking the citizens of the City of Aiken to pay additional fees to maintain the state roads. He said Council wants to delete the street maintenance fee out of the proposed budget. He said Council's feeling was that they did not want to ask the citizens to pay for something that the state should be taking care of.

Councilman Perry moved, seconded by Councilwoman Papouchado and unanimously approved, that the proposed revenue from a \$15 street maintenance fee per vehicle be deleted from the proposed budget and also the \$190,000 included for expenses for maintaining streets be deleted.

Mayor Cavanaugh stated he had some reservations about some other items in the budget but he would vote to pass it on first reading so the matters could be discussed at the second reading and public hearing.

Councilman Radford stated some of the budget items may be discussed at the second reading and public hearing on the budget so he moved, seconded by Councilwoman Price and unanimously approved, that the proposed budget for fiscal year 1994-94 be passed on first reading as amended with the deletion of the \$15 maintenance fee and the \$190,000 for maintenance of streets and that the second reading and public hearing be set for the next regular meeting of Council.

GIRL SCOUTS - ORDINANCE

Lease
Dupree Place
Coker Spring Park
Central Savannah River Girl Scout Council

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to extend the lease of a portion of Coker Springs Park to the Girl Scouts.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE MAYOR, BY AND WITH THE ATTEST OF THE CITY CLERK, TO EXECUTE A DOCUMENT LEASING THE PROPERTY KNOWN AS A PORTION OF COKER SPRING PARK TO THE CENTRAL SAVANNAH RIVER GIRL SCOUT COUNCIL FOR TEN (10) YEARS.

Mr. Thompson stated that in 1964 the city leased a portion of Coker Spring Park to the Central Savannah River Girl Scout Council for use as the Girl Scout hut. The property is located at 326 Dupree Place. The property was originally leased to the Girl Scouts in 1964 with a 25 year lease. The Girl Scout Council requested an additional 5 year lease in 1989. The lease will expire on June 12, 1994. Ms. Elizabeth Dyches, Executive Director of the Central Savannah River Girl Scout Council, has asked that Council extend the lease for an additional 10 years.

Mr. Thompson stated the Girl Scout Council is investing in improvements to the hut, and they would like a 10 year extension on the lease to help recover the cost of these improvements.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that the ordinance to extend the lease for the property known as a portion of Coker Spring Park to the Girl Scouts for 10 years be passed on first reading with the second reading and public hearing set for the next regular meeting of Council.

CORPORATE PARKWAY - ORDINANCE

Corporate Parkway
South Centennial Avenue
Dedication
Estates, Inc.
Whiskey Road
Street

Mayor Cavanaugh stated an ordinance had been prepared to amend Ordinance 041293 regarding the names of streets dedicated to the city concerning Corporate Parkway and South Centennial Avenue.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING ORDINANCE NO. 041293 SO AS TO CHANGE THE NAMES OF THE STREET(S) BEING DEDICATED TO THE CITY OF AIKEN FROM SOUTH CENTENNIAL AVENUE TO CORPORATE PARKWAY AND SOUTH CENTENNIAL AVENUE, ALSO KNOWN AS CENTENNIAL AVENUE.

Mr. Thompson stated that in April, 1993, Council accepted the dedication of some streets at the Centennial Center owned by Estates, Inc. The information received provided the name of the street as South Centennial Avenue. The city received the deed on the property and found that the names of the streets accepted should be Corporate Parkway and a section named South Centennial Avenue. Mr. Holly has prepared an ordinance to amend Ordinance 041293 to correct the names of the streets dedicated to the city.

Councilwoman Price moved, seconded by Mayor Cavanaugh and unanimously approved, that the ordinance amending Ordinance 041293 regarding the dedication of Corporate Parkway and South Centennial Avenue be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

ANNEXATION - ORDINANCE

Aiken County Commission on Alcohol & Drug Abuse
Gregg Highway
U.S. Highway 1/78
Bob Bell Parkway
Tax Map No. 00-104-01-015

Mayor Cavanaugh stated an ordinance had been prepared for annexation of 45.43 acres owned by the Aiken County Commission on Alcohol and Drug Abuse.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF 45.43 ACRES OWNED BY THE AIKEN COUNTY COMMISSION ON ALCOHOL AND DRUG ABUSE LOCATED BETWEEN U.S. HIGHWAY 1, WEST, AND THE GREGG HIGHWAY, TO ZONE THE SAME PROFESSIONAL, AND TO AUTHORIZE GOVERNMENTAL USES THEREON FOR NON-MEDICAL DETOXIFICATION, EMERGENCY STABILIZATION AND SHORT-TERM RESIDENCY FACILITIES.

Mr. Thompson stated a request had been received from the Aiken County Commission on Alcohol and Drug Abuse to annex 45.43 acres bounded by Gregg Highway, U. S. Highway 1/78, and the Bob Bell Parkway. He stated the Aiken County Commission on Alcohol and Drug Abuse had been looking for a new facility to operate a series of functions. He stated the owners have asked for the property to be zoned Professional and are also requesting approval by the city to allow a governmental use on the property. The property would probably include offices of several different agencies. Also, a non-medical detoxification facility, short term residency facility and a facility with emergency stabilization and short term residency beds would be located on the site.

The Planning Commission has recommended approval of the annexation and the governmental use request on the condition that the owners leave an untouched buffer at least 50 feet in width on all boundaries, except to allow driveways or essential utilities and that curb cuts be limited to four from Gregg Highway, one from Dyches Road, and no curb cuts from either the Bob Bell Parkway or Lokey Drive.

Mr. Terry Brown, Executive Director for the Commission on Alcohol and Drug Abuse, was present to answer any questions.

Council discussed the matter, asking Mr. Brown questions about the proposed facilities.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance be passed on first reading to annex 45.43 acres owned by the Aiken County Commission on Alcohol and Drug Abuse with the conditions recommended by the Planning Commission and that second reading and public hearing be set for the next regular meeting of Council.

ZONING ORDINANCE

Recreation Vehicles
Campers
Trailers
Corner Lots
Screening

Mayor Cavanaugh stated an ordinance had been prepared to amend the Zoning Ordinance regarding screening of recreation vehicles.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING SECTION III.P., ENTITLED PARKING OR STORAGE OF RECREATION VEHICLES, OF THE COMPREHENSIVE ZONING ORDINANCE SO AS TO PROVIDE THAT RECREATIONAL VEHICLES PARKED IN REAR YARDS ON CORNER LOTS IN RESIDENTIAL ZONING DISTRICTS MUST BE SCREENED BY VEGETATION AND TO OTHERWISE CLARIFY THE SECTION.

Mr. Thompson stated that last year Council adopted an ordinance asking that property owners on corner lots that own recreational vehicles park the vehicles in the side yard screened from the street or in the back yard. There has been a problem in enforcement of the ordinance as the ordinance was not clear that the side of the back yard must also be screened. He pointed out to

screen a recreation vehicle from the street on a corner lot the side yard as well as a portion of the back yard must be screened from the street. Mr. Holly has been working with the Building Inspectors to clarify the ordinance. The proposed amendments to the Zoning Ordinance make it clear that recreation vehicles parked at the side of a house must be completely screened from view from all streets that run along the rear yard or side yard with screening by evergreen vegetation. The city first started regulating recreation vehicles in January, 1986. The ordinance also clarifies that non-conforming recreational vehicles not in compliance prior to the first ordinance will have to be removed.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance regulating the screening and parking of recreational vehicles be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

WATER - ORDINANCE

Sewer
Garbage
Utility Bills
Late Charges

Mayor Cavanaugh stated an ordinance had been prepared for first reading to change the penalty date for payment of water services.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 25-9 OF THE AIKEN CITY CODE SO AS TO CHANGE THE DAY OF THE MONTH AFTER WHICH LATE CHARGES ARE ASSESSED FOR NON-PAYMENT OF WATER, SEWER, GARBAGE AND SIMILAR SERVICES FROM THE FIFTEENTH (15TH) DAY TO THE TWENTIETH (20TH) DAY AND TO OTHERWISE CLARIFY THE SECTION.

Mr. Thompson stated the monthly billing for utility services from the city includes a late fee if the bill is not paid by the 15th of the month. The city tries to mail the bills in time for the bills to be delivered by the first day of each month. This gives the customer about 15 days for payment before the late fees are added to the account. Based on several suggestions received the staff is recommending that the schedule be changed to give the customer 20 days before the late fees apply.

Mr. Thompson stated in looking at the schedule the staff found that they could make the adjustment from 15 to 20 days before adding the late fee. The critical factor for our billing system is that we have to bill for service before the next reading cycle starts, and we have a total of 20 days built into the system for billing to customers. The staff is recommending changing the schedule to levy the late fee after the 20th day of the month instead of the 15th.

Councilwoman Price moved, seconded by Councilman Radford and unanimously approved, that the ordinance changing the penalty date from 15 days to 20 days before applying late fees on utility bills be passed on first reading and that second reading and public hearing be set for the next regular meeting of Council.

SEWER - ORDINANCE

Sewer Fees
Calculation

Mayor Cavanaugh stated an ordinance had been prepared for first reading to change the months on which water usage is used to calculate the monthly sewer charges.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING ORDINANCE NOS. 041381 AND 030992 TO CHANGE THE MONTHS ON WHICH WATER USAGE IS USED TO CALCULATE THE MONTHLY SEWER CHARGES FOR CERTAIN CUSTOMERS TO THE MONTHS OF FEBRUARY, MARCH AND APRIL AND TO CLARIFY HOW SUCH CHARGES ARE CALCULATED.

Mr. Thompson stated that the city provides an averaging method for the calculation of the sewer bill. The sewer bill is paid on the average water usage during the months of December, January and February. He stated several complaints were received this year that even though the usage is actually

during the months of December, January and February, the billing does not come until January, February and March. This has been confusing for some homeowners and they felt they would be better off if the city would shift the dates. The staff has looked at the system extensively. There are mixed benefits for different residents as some residents use more water during November and December while others use more in December and January. Shifting the calculation to the billing dates of January, February and March is attractive to all residents. Shifting to the billing dates of February, March and April would give an even better advantage to most residents. The staff is recommending that the sewer calculation be shifted to the billing cycle rather than the reading cycle and use the billing cycle of February, March and April. This change will meet Council's intent to base the averaging of sewer services on the lowest three months of usage during the year.

Mr. Thompson stated the city works with the customers and has allowed homeowners as well as large businesses to choose between using the averaging system or to use actual water usage as a means to measure sewer usage. The staff is recommending that the city also include small businesses under this option, including only businesses and residential customers with a maximum water volume consumption of 2,000 cubic feet per month.

Councilman Perry moved, seconded by Mayor Cavanaugh and unanimously approved, that the ordinance changing the months on which water usage is used to calculate the monthly sewer charges to the billings for the months of February, March and April be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

TAX ASSESSMENT - ORDINANCE

Taxes

Historic Properties

Real Property

Tax Incentive

Rehabilitation

Mayor Cavanaugh stated an ordinance had been prepared for first reading to grant special real property tax assessments for rehabilitated historic properties.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY CODE TO ADD A SECTION GRANTING SPECIAL REAL PROPERTY TAX ASSESSMENTS FOR REHABILITATED HISTORIC PROPERTIES.

Mr. Thompson stated the proposed ordinance was developed out of a suggestion from Councilman Anaclerio and as a goal of City Council to add new tax incentives to renovation of existing property in the downtown. State law does permit the city to provide a tax incentive for historic properties and for low and moderate income rental properties. The proposed ordinance extends a tax incentive to historic properties. The ordinance would be administered by the Historic Preservation Commission and would freeze the taxes on the property renovated to the value before it was renovated, for the first two years after renovation. For the next eight years the property owner would pay taxes equal to either 40% or 4% of the appraised value after rehabilitation, or at the original assessed value of the unimproved property. The effect of this ordinance would be to give a very attractive tax incentive to the rehabilitation of properties, and essentially the property owner would pay taxes as if the property had not been improved.

Mr. Thompson stated a second ordinance would be developed through the Community Development Housing Committee to do the same tax incentive for low and moderate income rental housing.

Mr. Holly stated after the ordinance was drafted it was sent to the South Carolina Department of Archives and History for review and comment as they take part in administering the program through state law. He stated he had received no response from the Department of Archives and History. He stated it is possible there may be some technical changes to the proposed ordinance but the substance will not change.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance be passed on first reading to grant special real property assessments for rehabilitated historic properties and that second reading and public hearing be set for the next regular meeting of Council.

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COMMUNITY DEVELOPMENT BLOCK GRANTEntitlement Program

Mayor Cavanaugh stated Council needed to consider a resolution and certification for the Community Development Block Grant Entitlement Program.

Mr. Thompson stated Council had received the outline of projects for the new Community Development Block Grant Entitlement Program and had approved the listing of projects. This program includes a total of \$290,000 available annually to the city to assist with improvement of low and moderate income areas. As part of the process the Housing and Urban Development Department requires that Council adopt a resolution authorizing the Mayor to be the official representative of the city for purposes of accepting and submitting activities statements.

HUD also requires that Council adopt a policy and enforce the policy of prohibiting the use of excessive force by law enforcement agencies within the City of Aiken against individuals engaged in non-violent civil rights demonstrations. Council must also adopt a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within the City of Aiken. He stated the recent civil rights violations and law suits across the country have probably resulted in the need for this certification. Mr. Thompson stated he felt the City of Aiken had always adhered to these principles and these policies and certifications would be in keeping with the philosophy and practice of the City of Aiken.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that Council adopt a resolution authorizing the Mayor to be the official representative of the city to submit the final statement of activities and amendments for the Community Development Block Grant Entitlement Program.

Councilwoman Price moved, seconded by Mayor Cavanaugh and unanimously approved, that Council adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within the City of Aiken against individuals engaged in non-violent civil rights demonstrations and adopt a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of non-violent civil rights demonstrations within the City of Aiken.

Councilwoman Papouchado noted that this policy is a requirement of the Department of Housing and Urban Development and stated it was felt that adoption of such a policy was not necessary because the City of Aiken already abides by these practices and principles.

BIDSCrosland Park
Sewer Lines

Mayor Cavanaugh stated Council needed to consider the bids for the Crosland Park sewer line replacement project.

Mr. Thompson stated that last year City Council met with the residents of Crosland Park to discuss the need to replace sewer lines through Crosland Park. Crosland Park was originally served by septic tanks in the early 1950's. When the septic tanks failed the developer installed an inexpensive sewer system at the rear of the property lines. These lines have started to fall apart and are causing sewer backups and damage to Crosland park homes. The city has received bids for the replacement of these lines. The bids received were as follows:

<u>VENDOR</u>	<u>BID PRICE</u>
Gene Ray Fulmer Grading Co.	\$194,598.00
Holland Environmental	228,814.00
R. O. Collins	242,695.40
Sheriff Construction Co.	257,159.00

The staff is recommending acceptance of the low bid of Gene Ray Fulmer Grading Co. with a total bid of \$194,598.

Mr. Thompson stated the staff had been working with the residents of Crosland Park and most of the property owners are ready for the city to move forward with the repairs. The trees were removed from the line area in April. We expect to start work on the line in June and complete it by August.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that the low bid of Gene Ray Fulmer Grading Co. in the amount of \$194,598 be accepted for the replacement of sewer lines in Crosland Park.

BIDS

Rollingwood Road
Storm Drainage
Kalmia Hill
Storm Sewer

Mayor Cavanaugh stated bids had been received for the storm sewer relining project for the Rollingwood Road area.

Mr. Thompson stated two sections of the storm sewer pipe in the Rollingwood Road area are starting to fail. The city has received bids for the repair of the pipe. The bid received are as follows:

<u>VENDOR</u>	<u>BID PRICE</u>
Palmetto Gunite Construction	\$ 95,650
Pneumatic Concrete, Inc.	105,773
United Gunite Construction	129,300

A portion of this project is within the proposed Rollingwood Road/Kalmia Hill storm water project area. This project includes repairs to the pipe under the railroad behind Rollingwood Road and repairing the pipe running under Richland Avenue from Edisto Avenue to Rollingwood Road. This includes a two foot wide gunite lining on the bottom of a 72 inch storm sewer from behind Baldino's Subshop, across Richland Avenue, to the beginning of East Rollingwood Road. The bottom of the corrugated pipe has rusted out and the failure is causing sink holes to develop above the pipe. The section of the pipe under Richland Avenue was not relined when the rest of the area was relined in 1988 because it was not having problems at that time. Most of the section under East Rollingwood Road has already been relined and is in satisfactory condition.

The repairs under the railroad will also involve a gunite lining for one-half of the depth of the pipe. Although the pipe has not been penetrated the coating and lining of the pipe have been eroded. The pipe must be maintained in good condition to support the railroad and to allow greater load capacity in the pipe.

The cost for the project has been allocated on the same ratios approved for the full Kalmia Hill project. The state has committed to pay 20% of the cost, or approximately \$19,126. The city's share would be 42%, or \$40,173. The balance would be \$36,347, which is the County's share. We have received notice that the state is willing to participate in the cost of the project. He stated in the event all three parties do not participate in the project, the city needs to proceed with the project because of a safety problem in the area.

Mr. Thompson stated the staff is recommending acceptance of the low bid of Palmetto Gunite Construction in the amount of \$95,650.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that the low bid of Palmetto Gunite Construction in the amount of \$95,650 be accepted for the storm sewer relining project in the Rollingwood Road area and that monies be allocated for the project.

STREET NAME

Platt Terrace
Josef Hofmann Terrace

Mayor Cavanaugh stated a request had been received for a street name change for Platt Terrace.

Mr. Thompson stated the city had received a request from Dr. L. V. Kosinski asking that Platt Terrace be changed to Josef Hofmann Terrace. Platt Terrace was originally named for Mr. Harold E. Platt. Mr. Platt's widow does not

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object to the name change. Josef Hofman was an internationally famous pianist in the early part of the century. Mr. Hofmann and his wife lived in a three story house located on lower Laurens Street. Dr. Kosinski is the owner of the only property facing Platt Terrace. The Planning Commission recommended approval of the street name change.

A public hearing was held on the request.

Dr. Leonard Kosinski appeared before Council in favor of the name change. He reviewed the request for Council.

Councilwoman Price moved, seconded by Mayor Cavanaugh and unanimously approved, that the street name Platt Terrace be changed to Josef Hofmann Terrace.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 P.M.



Sara B. Ridout
City Clerk